

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
WILLIAM R. MITCHELL)	
Petitioner,)	
)	
v.)	Civil Action No. 04-10844-MLW
)	
LUIS SPENCER)	
Respondent.)	
_____)	

**RESPONDENT'S MOTION TO DISMISS
PETITION FOR WRIT OF HABEAS CORPUS**

The respondent, Luis Spencer, hereby moves this Honorable Court to dismiss the Petition for Writ of Habeas Corpus filed by petitioner William R. Mitchell. As grounds for this motion, the respondent states that the petition is time barred as per 28 U.S.C. § 2244(d)(1). The respondent relies on the accompanying memorandum of law in support of this motion to dismiss.

Respectfully submitted,

THOMAS F. REILLY
Attorney General

/s/ Susanne G. Reardon
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Date: July 8, 2004

CERTIFICATE OF SERVICE

I hereby certify that true copies of the above documents were served on William R. Mitchell, pro se, P.O. Box 43, Norfolk, MA 02056 by first class mail, postage prepaid, on July 8, 2004.

/s Susanne G. Reardon
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